

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TERA A. McMILLAN)	
)	
Plaintiff,)	
)	
)	
v.)	
)	CIVIL ACTION NO. 2:07cv001-WKW
ALABAMA DEPARTMENT,)	
OF YOUTH SERVICES, <i>et al.</i> ,)	
)	
Defendants.)	

**ORDER ON MOTION
AND PROTECTIVE ORDER**

Upon careful consideration of the “Motion to Quash Subpoena or in the Alternative Motion for Protective Order” (Doc. #80), filed by the Health Care Authority for Baptist Health, an Affiliate of UAB Health System D/B/A Baptist Medical Center South d/b/a Meadhaven, Montgomery, Alabama on February 25, 2008, and for good cause, it is

ORDERED the motion (Doc. #80) is DENIED IN PART AND GRANTED IN PART. Because Plaintiff has placed her psychological well being into issue in this case, the motion to quash is DENIED. Accordingly, the Health Care Authority for Baptist Health, an Affiliate of UAB Health System D/B/A Baptist Medical Center South d/b/a Meadhaven, Montgomery, Alabama shall release to Defendants the subpoenaed psychiatric/psychological records **under the terms of the Protective Order** below.

Thus, the motion for a protective order is GRANTED. It is further

ORDERED that said records shall be used only in the defense of this case and that there shall be no public or other disclosure of this information except to those participating in the preparation of or testimony in this case and who have a need to know such information. It is further

ORDERED that said records and information either be returned to the covered entity or be destroyed (including all copies made) at the end of the litigation proceeding as required under 45 C.F.R. § 164.512(e).

DONE this 26th day of February, 2008.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE